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May 31, 2024

**BY ECF**

Honorable Lorna G. Schofield  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: Dinkins v. the City of New York et al.,  
24 Civ. 01604 (LGS)

Your Honor:

I represent defendant the City of New York in the above-referenced matter.<sup>1</sup> The City writes to respectfully request: (1) a brief adjournment of the July 17, 2024, Initial Conference; and (2) an extension of time to submit the proposed case management plan and accompanying joint letter from June 5, 2024, to 14 days prior to the Initial Conference. Plaintiff consents to both requests.

By way of background, on April 2, 2024, the Court scheduled an Initial Conference for June 12, 2024, at 4:10 p.m., and set the deadline for the parties to submit a proposed case management plan with an accompanying joint letter for 14 days before the Initial Conference. Thus, the parties proposed case management plan was originally due on May 29, 2024. On May 28, 2024, the undersigned requested, *inter alia*, a one week extension of time to submit the case management plan, because ACC Reszytniak had been unable to schedule a call with plaintiff prior to the deadline to submit the case management plan. (See ECF No. 17). Thereafter, pursuant to the Court's Order dated April 2, 2024, ACC Reszytniak contacted chambers to inform the Court that Mid-State Correctional Facility would be unable to accommodate a call past 3:00 pm. The same day, the Court adjourned the Initial Conference to July 17, 2024, at 2:00 pm, and extended the deadline for submission of the parties case management plan and accompanying joint letter to June 5, 2024. (See ECF No. 18).

Unfortunately, ACC Reszytniak is unable to attend the Initial Conference as currently scheduled, as she will be participating in the previously scheduled New York City Law Department Trial Advocacy Program from 9:00 a.m. to 5:00 p.m. on July 17, 2024. In light of this conflict,

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<sup>1</sup> This case has been assigned to Assistant Corporation Counsel Zoe Reszytniak, who is not yet admitted to the Southern District of New York. Ms. Reszytniak is handling this matter under my supervision and may be reached at (212) 356-2547 or zreszytn@law.nyc.gov.

defendant respectfully requests a brief adjournment of the July 17, 2024, Initial Conference to a later date convenient for the Court. For the Court's convenience, the parties are available on: (a) July 18, 2024, from 8:00 a.m. to 3:00 p.m.; (b) July 19, 2024, 8:00 a.m. to 3:00 p.m.; or (c) July 22, 2024, 8:00 a.m. to 3:00 p.m. Defendant sincerely apologizes for any inconvenience the requested adjournment may cause the Court. Insofar as the Court grants the requested adjournment, defendant respectfully requests that the Court issue a revised order for the Warden or other official in charge of the Orleans Correctional Facility<sup>2</sup> to produce plaintiff for the Initial Conference.

Additionally, defendant respectfully requests that the Court extend the deadline for the parties to submit a proposed case management plan and joint letter to 14 days prior to the Initial Conference. As no individual defendants have been identified out this time due to the outstanding Valentin Order, and no defendant having responded to the Complaint, this extension will allow the parties to submit a more comprehensive case management plan and accompanying joint letter while still adhering to Your Honor's individual rule requiring they be submitted 14 days before the initial conference.

Accordingly, defendant respectfully requests: (1) an adjournment of the July 17, 2024, Initial Conference; and (2) an extension of time to submit the proposed case management plan and joint letter from June 5, 2024, to 14 days prior to the Initial Conference.

Thank you for your time and consideration.

Respectfully submitted,

/s/ Zachary Kalmbach


Zachary Kalmbach

Senior Counsel

Special Federal Litigation Division

Application **GRANTED**. The initial pretrial conference scheduled for July 17, 2024, is **ADJOURNED to July 24, 2024, at 2:00 P.M.** The parties shall file their preconference materials by **July 10, 2024**. A revised order to the Warden will issue separately. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 19 and to mail a copy of this Order to the pro se Plaintiff.

Dated: June 5, 2024  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

<sup>2</sup> Upon information and belief, plaintiff is being relocated from Mid-State Correctional Facility to Orleans Correctional Facility, and as such will be in the custody of Orleans in moving forward. Accordingly, ACC Reszytniak has been in contact with Orleans Correctional Facility to coordinate plaintiff's appearance for the Initial Conference.

CC: VIA FIRST-CLASS MAIL  
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